

3738
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph H. Sklar et al.
Serial No.: 09/715,714
Filing Date: 11/17/2000
For: FIXATION SCREW, GRAFT LIGAMENT ANCHOR
ASSEMBLY AND METHOD FOR SECURING A
GRAFT LIGAMENT IN A BONE TUNNEL

Group Art Unit: 3738
Examiner: Bruce Edward Snow

Attorney's Docket No.: INNO-31

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,
POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER
FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

September 21, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 9/21/04

(SIGNATURE)

September 21, 2004

(DATE OF SIGNATURE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF DEFICIENCY PAYMENT UNDER 37 CFR 1.28(c)

Applicants request under 37 CFR 1.28(c) that an error
status regarding Small Entity status in payment of the PETITION
FOR AN AUTOMATIC EXTENSION OF TIME TO RESPOND filed on August 11,
2004 be excused.

A check in the amount of \$210.00 is enclosed to cover the
deficiency owed resulting from the previous erroneous payment of
small entity fees.

09/24/2004 MBELETE1 00000045 09715714

01 FC:2252

INNO-31

Adjustment date: 09/27/2004 ANONDAE1

09/24/2004 MBELETE1 00000045 09715714

01 FC:2252

-210.00 DP

09/27/2004 SSANDAR1 00000001 09715714

01 FC:1252

420.00 DP

As required under 37 CFR 1.28(c)(1) and (c)(2), the deficiency payment is itemized as follows:

(a) a two-month extension of time fee was erroneously paid as a small entity, and the current fee amount for a non-small entity is \$420.00;

(b) the fee was paid on August 11, 2004;

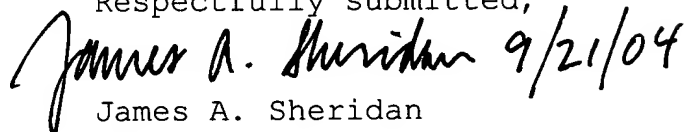
(c) the deficiency amount is \$210.00; and

(d) the total deficiency payment owed is \$210.00.

Applicants assert that status as a Small Entity was mistakenly established in good faith, and the fee identified-above was paid in good faith as a Small Entity, and it was recently discovered that such status as a Small Entity was established in error.

In the event that any additional fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Respectfully submitted,

 9/21/04

James A. Sheridan

Registration No. 43,114

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. No. (781) 290-0060

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